

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,
vs.

ESTATE OF MICHAEL R. DONOHUE,
Deceased; SEAN DONOHUE, Executor of the
Estate of Michael R. Donohue, deceased; JUDITH
KUJANSON; DANIEL DONOHUE; MARY E.
DONOHUE; UNKNOWN HEIRS AND
LEGATEES OF TIMOTHY DONOHUE,
DECEASED; JEFF OHLSON, Guardian of Person
of Timothy Donohue; SUSAN V. BECKER a/k/a
Susan V. Donohue; UNKNOWN HEIRS AND
LEGATEES OF MICHAEL R. DONOHUE,
DECEASED; UNKNOWN OWNERS; and NON-
RECORD CLAIMANTS,

Defendants.

Civil No. 18-cv-1910-JPG-GCS

MEMORANDUM AND ORDER

This matter comes before the Court on the Government's motion to strike the answer (Doc. 8) purportedly filed on behalf of defendant Estate of Michael R. Donohue, deceased, on the grounds that it was filed by an individual who is not an attorney (Doc. 27). No party has responded to the motion.

Generally, non-attorney individuals are not permitted to represent others in federal court. *See* 28 U.S.C. § 1654 (providing that "parties may plead and conduct their own cases *personally or by counsel*" (emphasis added)); Fed. R. Civ. P. 11(a) (requiring papers to be signed by an attorney of record or by a party personally); *Elustra v. Mineo*, 595 F.3d 699, 704 (7th Cir. 2010); *compare Guest v. Hansen*, 603 F.3d 15, 21 (2d Cir. 2010) (non-attorney may represent estate in federal court where he is the sole beneficiary and there are no creditors).

In light of the lack of any opposition to the motion, and because a non-attorney individual

may not represent the Estate of Michael R. Donohue, the Court must strike the pleading purportedly filed by the non-attorney on behalf of the estate. Accordingly, the Court **GRANTS** the motion to strike (Doc. 27) and **STRIKES** the answer (Doc. 8) purportedly filed on behalf of defendant Estate of Michael R. Donohue.

IT IS SO ORDERED.

DATED: May 13, 2019

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE